

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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ROBERT DAVIS,

Plaintiff,

9:04-CV-1480

vs.

JOHN DOE, Chairman and 19th Member of the  
New York State Board of Parole,

Defendant.

U. S. DISTRICT COURT  
N. D. OF N. Y.  
FILED

MAY - 4 2005

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APPEARANCES:

AT _____ O'CLOCK _____ M
LAWRENCE K. BAERMAN, Clerk
UTICA

ROBERT DAVIS

Plaintiff, *pro se*

81-C-288

Elmira Correctional Facility

P.O. Box 500

Elmira, NY 14902

DAVID N. HURD

United States District Judge

ORDER

Presently before the Court is an amended complaint submitted by Robert Davis ("plaintiff"). Dkt No. 6. Plaintiff submitted the amended complaint in compliance with the Order issued by the Court on February 17, 2005. Dkt. No. 4.

The Court has reviewed plaintiff's amended complaint and finds that it may properly be filed with the Court.

The Court notes that plaintiff has now identified the defendant formerly listed as "John Doe." Accordingly, the Clerk is directed to revise the docket by substituting "Robert Dennison" for "John Doe" as the defendant in this action.

WHEREFORE, it is hereby

ORDERED, that the Clerk shall substitute "Robert Dennison, Chairman and 19th Member of the New York State Board of Parole" for "John Doe, Chairman and 19th Member of the New York State Board of Parole" as the defendant in this action, and it is further

ORDERED, that the Clerk shall issue a summons and forward it, along with a copy of the amended complaint, to the United States Marshal for service upon the named defendant, together with a copy of this Order. The Clerk shall also forward a copy of the summons and amended complaint by mail to the Office of the Attorney General for the State of New York, together with a copy of this Order, and it is further

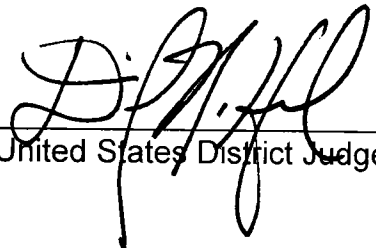
ORDERED, that a formal response to plaintiff's complaint be filed by the defendant or his counsel as provided for in Rule 12 of the Federal Rules of Civil Procedure subsequent to service of process on the defendant, and it is further

ORDERED, that all pleadings, motions and other documents relating to this action be filed with the Clerk of the United States District Court, Northern District of New York, 7th Floor, Federal Building, 100 S. Clinton St., Syracuse, New York 13261-7367. **Any paper sent by a party to the Court or the Clerk shall be accompanied by a certificate setting forth the date a true and correct copy of it was mailed to all opposing parties or their counsel. Any letter or other document received by the Clerk or the Court which does not include a proper certificate of service is to be returned without processing.** Plaintiff shall also comply with any requests by the Clerk's Office for any documents that are necessary to maintain this action. Motions must comply with Local Rule 7.1 of the Northern District of New York and are to be made returnable before the

assigned Magistrate Judge on any business day with proper allowance for notice as required by the Rules. **Plaintiff must promptly notify the Clerk's Office of any change in his address; his failure to do so will result in the dismissal of this action.** All motions will be decided on submitted papers, without oral argument, unless otherwise ordered by this Court, and it is further

ORDERED, that the Clerk serve a copy of this Order on plaintiff by regular mail.

IT IS SO ORDERED.


United States District Judge

Dated: May 4, 2005
Utica, New York.